

~~COURT REPORT~~

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ACS RECOVERY SERVICES, INC. )

Plaintiff, )

v. )

MARIA B. FIGUEIREDO, as )  
Executrix of the Estate of Antonio Figueiredo, )  
Deceased, and MARIA B. FIGUEIREDO, )  
Individually )

Defendant.

Civil Action No.  
07cv7359 (CLB)(LMS)

ECF Case

**NOTICE OF VOLUNTARY DISMISSAL PURSUANT TO F.R.C.P. 41(a)(1) AS TO  
DEFENDANTS MARIA B. FIGUEIREDO, AS EXECUTRIX OF THE ESTATE OF  
ANTONIO FIGUEIREDO, DECEASED, AND MARIA B. FIGUEIREDO  
INDIVIDUALLY *E order***

**PLEASE TAKE NOTICE THAT** plaintiff ACS Recovery Services, Inc., hereby  
dismisses the Complaint against defendants Maria B. Figueiredo, as Executrix of the Estate of  
Antonio Figueiredo, Deceased, and Maria B. Figueiredo, Individually, without prejudice and  
without costs or fees against any party.

Respectfully Submitted,

DAY PITNEY LLP

By: /s/ M. Alexander Bowie II  
M. Alexander Bowie, II (MB-6826)  
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New York, New York 10036-7311  
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*Attorneys for Plaintiff ACS Recovery  
Services, Inc.*

Dated: New York, New York  
January 25, 2008

*do order &: January 25, 2008*  
*Charles L. Buehler*  
*U.S.D.J.*

AO 85 (Rev. 8/98) Notice, Consent, and Order of Reference — Exercise of Jurisdiction by a United States Magistrate Judge

*Bruant, J.*

UNITED STATES DISTRICT COURT

Southern

District of

New York

PEGGY FARGANIS

Plaintiff

V

DENNIS BARNETT et al

Defendant

NOTICE, CONSENT, AND ORDER OF REFERENCE —  
EXERCISE OF JURISDICTION BY A UNITED STATES  
MAGISTRATE JUDGE

Case Number: 07 Civ. 11490 (CLB) (GAY)

NOTICE OF AVAILABILITY OF A UNITED STATES MAGISTRATE JUDGE  
TO EXERCISE JURISDICTION

In accordance with the provisions of 28 U.S.C. §636(c), and Fed.R.Civ.P. 73, you are notified that a United States magistrate judge of this district court is available to conduct any or all proceedings in this case including a jury or non jury trial, and to order the entry of a final judgment. Exercise of this jurisdiction by a magistrate judge is, however, permitted only if all parties voluntarily consent.

You may, without adverse substantive consequences, withhold your consent, but this will prevent the court's jurisdiction from being exercised by a magistrate judge. If any party withholds consent, the identity of the parties consenting or withholding consent will not be communicated to any magistrate judge or to the district judge to whom the case has been assigned.

An appeal from a judgment entered by a magistrate judge shall be taken directly to the United States court of appeals for this judicial circuit in the same manner as an appeal from any other judgment of this district court.

CONSENT TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE

In accordance with provisions of 28 U.S.C. §636(c) and Fed.R.Civ.P. 73, the parties in this case consent to have a United States magistrate judge conduct any and all proceedings in this case, including the trial, order the entry of a final judgment, and conduct all post-judgment proceedings.

Party Represented

Signatures

Date

Peggy Farganis

Dennis Barnett et al

*Helen A. Ulrich*  
*Paul E. Soren*

1/24/08  
1/25/08

ORDER OF REFERENCE

IT IS ORDERED that this case be referred to Hon. George A. Yanthis U.S.M.J.,  
United States Magistrate Judge, to conduct all proceedings and order the entry of judgment in accordance with 28 U.S.C.  
§636(c) and Fed.R.Civ.P. 73.

Date

United States District Judge

NOTE: RETURN THIS FORM TO THE CLERK OF THE COURT ONLY IF ALL PARTIES HAVE CONSENTED  
ON THIS FORM TO THE EXERCISE OF JURISDICTION BY A UNITED STATES MAGISTRATE JUDGE